

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NOLA C. VAN DUYNE and LEO VAN DUYNE,)

Plaintiffs,)

v.)

ENCORE MEDICAL, L.P., ENCORE
ORTHOPEDICS, INC., and OSTEOIMPLANT
TECHNOLOGY, INC.,)

Defendants.)

Case No. 07 C 6857

Judge Moran
Magistrate Judge Nolan

NOTICE OF MOTION

PLEASE TAKE NOTICE that on, **June 24, 2008 at 9:00 a.m.**, or as soon thereafter as counsel may be heard, the undersigned will appear before Judge Moran or any judge sitting in his stead, in courtroom 1843 at the Everett McKinley Dirksen Building, United States Courthouse, located at 219 South Dearborn Street, Chicago, IL 60604, and then and there present OTI's Motion for Extension of Time to Respond to the Complaint, a copy of which is attached and hereby served upon you.

OSTEOIMPLANT TECHNOLOGY, INC.,

By: s/ Sharilee K. Smentek
One of its Attorneys

David S. Waxman (ARDC # 6191045)
Sharilee K. Smentek (ARDC # 6277773)
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CERTIFICATE OF SERVICE

Sharilee K. Smentek, an attorney, certifies that she served copies of **NOTICE OF MOTION** on the following parties:

Wayne B. Giampietro
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via e-mail notification served by the CM/ECF system on 6/17/2008.

s/ Sharilee K. Smentek